



02-09-07

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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | |
|---------------------------------------------------------------------------------------------|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/789,537-Conf. #9442 |
| | Filing Date | February 26, 2004 |
| | First Named Inventor | Hajime Nakamura |
| | Art Unit | 2127 |
| | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | Attorney Docket Number | 60931 (47762) |

ENCLOSURES (Check all that apply)

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB-08 (with citations); Certificate of Express Mailing; and return receipt postcard. |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------------------|----------|--------|
| Firm Name | EDWARDS ANGELL PALMER & DODGE LLP | | |
| Signature | | | |
| Printed name | John J. Penny, Jr. | | |
| Date | February 7, 2007 | Reg. No. | 36,984 |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV 971739077 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 7, 2007

Signature: (Nicole McKinnon)



Application No. (if known): 10/789,537

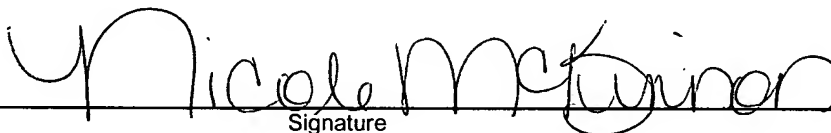
Attorney Docket No.: 60931 (47762)

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MS Amendment
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Date


Signature

Nicole McKinnon

Typed or printed name of person signing Certificate

Registration Number, if applicable

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Telephone Number

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Transmittal (1 page);

Supplemental Information Disclosure Statement (2 pages);

Form PTO/SB-08 (with citations); and

Return receipt postcard.

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Dated: February 7, 2007

Signature:

(Nicole McKinnon)

Docket No.: 60931 (47762)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hajime Nakamura, *et al.*

Application No.: 10/789,537

Confirmation No.: 9442

Filed: February 26, 2004

Art Unit: 2127

For: WAVELENGTH PATH SWITCHING NODE
APPARATUS AND WAVELENGTH PATH
ALLOCATION METHOD

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in a Japanese Office Action issued November 7, 2006, during the prosecution of International Application No. JP 2003-53249, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c)(1) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the Japanese Office Action (along with English translation of the Japanese Office Action) and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

JP 2003-8619, JP 2001-268606 and JP 11-261596 are discussed in the Japanese Office Action (English translation submitted herewith). Also, a computer-generated translation for JP 11-261596 is submitted herewith. JP 2001-333045, which

also is cited in the Japanese Office Action, was submitted in the Information Disclosure Statement filed on February 26, 2004.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)). In the event that a first Office Action has been mailed, this Information Disclosure Statement is being filed under 37 CFR 1.97(c)(1). Applicant states that each reference submitted herewith was first cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this Information Disclosure Statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60931 (47762).

Dated: February 7, 2007

Customer No.: 21874

590380

Respectfully submitted,

By 

John J. Penny, Jr.

Registration No.: 36,984

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PTO/SB/08A/B (09-06)

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/789,537-Conf. #9442 |
| | | | | Filing Date | February 26, 2004 |
| | | | | First Named Inventor | Hajime Nakamura |
| | | | | Art Unit | 2127 |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 1 | of | 1 | Attorney Docket Number | 60931(47762) |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|------------------------------------------|--------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | AA* | US-2001/0224305 A1 | 09-27-2001 | Nishimoto | |
| | AB* | US-2002/0191626 A1 | 12-19-2002 | Moriwaki, et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | BA | JP-2003-8619 | 01-10-2003 | | | |
| | BB | JP-2001-268606 | 09-28-2001 | | | |
| | BC | JP-11-261596 | 09-24-1999 | | | √ |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CA | Copy of Japanese Office Action dated November 7, 2006 (with English translation). | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|